

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-02351-DLF-GMH

DISCEPOLO v. U.S. DEPARTMENT OF JUSTICE
Assigned to: Judge Dabney L. Friedrich
Referred to: Magistrate Judge G. Michael Harvey
Cause: 05:552 Freedom of Information Act

Date Filed: 11/28/2016
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

SARA DISCEPOLO

represented by **SARA DISCEPOLO**
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#4-234
Jacksonville, FL 32225
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PRO SE

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Marsha Wellknown Yee**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/28/2016	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 400, receipt number 4616081841) filed by SARA DISCEPOLO. (Attachments: # <u>1</u> Civil Cover Sheet)(zrdj) (Entered: 12/02/2016)
11/28/2016		SUMMONS (3) Issued as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (zrdj) (Entered: 12/02/2016)
12/19/2016	<u>2</u>	Case randomly reassigned to Judge Emmet G. Sullivan. Judge Randolph D. Moss no longer assigned to the case. (ztnr) (Entered: 12/19/2016)
12/27/2016	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 12/12/2016, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/9/2016. (Answer due for ALL FEDERAL DEFENDANTS by 1/8/2017.) (zrdj) (Entered: 12/30/2016)
01/09/2017	<u>4</u>	NOTICE of Appearance by Marsha Wellknown Yee on behalf of U.S. DEPARTMENT OF JUSTICE (Yee, Marsha) (Entered: 01/09/2017)
01/09/2017	<u>5</u>	ANSWER to <u>1</u> Complaint by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Certificate of Service)(Yee, Marsha) (Entered: 01/09/2017)
01/09/2017	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 12/16/2016, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/16/2016. (jf) (Entered: 01/11/2017)

02/23/2017	<u>7</u>	STANDING FOIA ORDER. Signed by Judge Emmet G. Sullivan on 2/23/2017. (lcegs4) (Entered: 02/23/2017)
02/24/2017		Set/Reset Deadlines: Joint Scheduling Order due by 3/9/2017. (mac) (Entered: 02/24/2017)
03/09/2017	<u>8</u>	PROPOSED BRIEFING SCHEDULE by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Yee, Marsha) (Entered: 03/09/2017)
03/09/2017	<u>9</u>	RESPONSE re <u>7</u> STANDING FOIA Order filed by SARA DISCEPOLO. (jf) (Entered: 03/10/2017)
03/13/2017	<u>10</u>	MOTION for CM/ECF Password by SARA DISCEPOLO (jf) (Entered: 03/15/2017)
03/16/2017	<u>12</u>	MOTION to Permission to appear by telephone by SARA DISCEPOLO (jf) (Entered: 03/20/2017)
03/17/2017	<u>11</u>	MOTION for Protective Order by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Yee, Marsha) (Entered: 03/17/2017)
03/22/2017		MINUTE ORDER. Upon consideration of the parties' proposed briefing schedules, the parties are directed to comply with the following briefing schedule: defendants motion for summary judgment shall be filed no later than April 6, 2017. Plaintiffs opposition shall be filed by no later than May 5, 2017. If plaintiff chooses to file a cross-motion, it shall be combined with the opposition and filed on the same date. Defendants reply and, if applicable, combined opposition shall be filed no later than June 7, 2017. Plaintiffs reply, if applicable, shall be filed no later than July 7, 2017. Signed by Judge Emmet G. Sullivan on 3/22/2017. (lcegs4,) (Entered: 03/22/2017)
03/23/2017		Set/Reset Deadlines: Defendants Motion For Summary Judgment due by 4/6/2017. Plaintiffs Opposition or Plaintiff Chooses To File A Cross–Motion, It Shall Be Combined With The Opposition due by 5/5/2017. Defendants Reply And, If Applicable, Combined Opposition due by 6/7/2017. Plaintiff Reply due by 7/7/2017. (mac) (Entered: 03/23/2017)
03/29/2017		MINUTE ORDER granting <u>10</u> motion for CM/ECF username and password. The Clerks Office is directed to issue a user name and password to allow plaintiff to access the CM/ECF system. Signed by Judge Emmet G. Sullivan on 3/29/2017. (lcegs4) (Entered: 03/29/2017)
03/31/2017	<u>13</u>	Memorandum in opposition to re <u>11</u> MOTION for Protective Order filed by SARA DISCEPOLO. (jf) (Entered: 04/03/2017)
04/03/2017		MINUTE ORDER granting <u>12</u> motion for permission to appear by telephone for status conferences and non–evidentiary hearings. Signed by Judge Emmet G. Sullivan on 4/3/2017. (lcegs4) (Entered: 04/03/2017)
04/05/2017	<u>14</u>	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment and to Modify Remainder of Briefing Schedule</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Yee, Marsha) (Entered: 04/05/2017)
04/06/2017		MINUTE ORDER granting <u>14</u> defendant's motion for extension of time. The parties are directed to comply with the following briefing schedule: Defendant's motion for summary judgment shall be filed by no later than May 18, 2017. Plaintiff's opposition shall be filed by no later than June 19, 2017. If plaintiff chooses to file a cross-motion, it shall be combined with the opposition and filed on the same date. Defendant's reply and, if applicable, combined opposition shall be filed no later than July 19, 2017. Plaintiffs reply, if applicable, shall be filed no later than August 18, 2017. Signed by Judge Emmet G. Sullivan on 4/6/2017. (lcegs4) (Entered: 04/06/2017)
04/06/2017		Set/Reset Deadlines: Defendant's Motion For Summary Judgment due by 5/18/2017. Plaintiff's Opposition or If Plaintiff Chooses To File A Cross–Motion, It Shall Be Combined With The Opposition due by 6/19/2017. Defendant's Reply and, If Applicable, Combined Opposition due by 7/19/2017. Plaintiffs Reply, If Applicable, due by 8/18/2017. (mac) (Entered: 04/06/2017)

04/10/2017	<u>15</u>	REPLY to opposition to motion re <u>11</u> MOTION for Protective Order filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Certificate of Service)(Yee, Marsha) (Entered: 04/10/2017)
04/21/2017		MINUTE ORDER granting in part and denying in part <u>11</u> defendant's motion for protective order. In view of plaintiff's stated intent to proceed to summary judgment without discovery, see Pl.'s Opp'n to Def.'s Mot. for Protective Order, ECF No. <u>13</u> , at 6, defendant is not required to respond to plaintiff's discovery requests at this time. Further, the Court notes that "in the exceptional case in which a court permits discovery in a FOIA action, such discovery should only occur after the government has moved for summary judgment." Taylor v. Babbit, 673 F.Supp.2d 20, 23 (D.D.C. 2009). Accordingly, plaintiff's request for discovery is premature. Signed by Judge Emmet G. Sullivan on 4/21/2017. (lcegs2) (Entered: 04/21/2017)
05/18/2017	<u>16</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration Elisha Biega (CT), # <u>3</u> Declaration Susanne Husted (MA), # <u>4</u> Text of Proposed Order)(Yee, Marsha) (Entered: 05/18/2017)
05/26/2017	<u>17</u>	NOTICE by SARA DISCEPOLO (DISCEPOLO, SARA) (Entered: 05/26/2017)
06/19/2017	<u>18</u>	Cross MOTION for Summary Judgment , MOTION for Vaughn Index , MOTION for Declaratory Judgment by SARA DISCEPOLO (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit Exhibit to Memorandum of Law, # <u>3</u> Statement of Facts, # <u>4</u> Declaration, # <u>5</u> Text of Proposed Order)(DISCEPOLO, SARA) (Entered: 06/19/2017)
06/19/2017	<u>19</u>	Memorandum in opposition to re <u>16</u> MOTION for Summary Judgment filed by SARA DISCEPOLO. (Attachments: # <u>1</u> Exhibit Attachment to Opposition, # <u>2</u> Statement of Facts, # <u>3</u> Declaration, # <u>4</u> Text of Proposed Order)(DISCEPOLO, SARA) (Entered: 06/20/2017)
06/20/2017	<u>20</u>	MOTION to Strike <u>16</u> MOTION for Summary Judgment <i>Defendant's Declarations</i> by SARA DISCEPOLO (Attachments: # <u>1</u> Memorandum in Support Defendant's Declarations, # <u>2</u> Declaration, # <u>3</u> Text of Proposed Order)(DISCEPOLO, SARA) (Entered: 06/20/2017)
06/20/2017	<u>21</u>	ERRATA Amended Proposed Order by SARA DISCEPOLO <u>18</u> Cross MOTION for Summary Judgment MOTION for Vaughn Index MOTION for Declaratory Judgment filed by SARA DISCEPOLO. (DISCEPOLO, SARA) (Entered: 06/20/2017)
06/20/2017	<u>22</u>	ERRATA Amended Proposed Order by SARA DISCEPOLO <u>19</u> Memorandum in Opposition, filed by SARA DISCEPOLO. (DISCEPOLO, SARA) (Entered: 06/20/2017)
06/23/2017	<u>23</u>	WITHDRAWN PURSUANT TO NOTICE FILED 6/24/2017..... MOTION for Discovery <i>under Rule 56(d)</i> , MOTION to Stay re <u>16</u> MOTION for Summary Judgment by SARA DISCEPOLO (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration, # <u>3</u> Text of Proposed Order)(DISCEPOLO, SARA) Modified on 6/26/2017 (znmw). (Entered: 06/23/2017)
06/24/2017	<u>24</u>	NOTICE OF WITHDRAWAL OF MOTION by SARA DISCEPOLO re <u>23</u> MOTION for Discovery <i>under Rule 56(d)</i> MOTION to Stay re <u>16</u> MOTION for Summary Judgment (DISCEPOLO, SARA) (Entered: 06/24/2017)
06/27/2017	<u>25</u>	MOTION for Discovery <i>under Rule 56(d)</i> , MOTION to Stay re <u>16</u> MOTION for Summary Judgment by SARA DISCEPOLO (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration, # <u>3</u> Text of Proposed Order)(DISCEPOLO, SARA) (Entered: 06/27/2017)
06/27/2017		MINUTE ORDER. In light of the ongoing summary-judgment briefing in plaintiff's FOIA action, <u>25</u> plaintiff's motion for leave to take discovery is denied as premature. See Murphy v. F.B.I., 490 F. Supp. 1134, 1136 (D.D.C. 1980) ("Whether the instant case warrants discovery is a question of fact that can only be determined after the defendants file their dispositive motion and accompanying affidavits."). Signed by Judge Emmet G. Sullivan on June 27, 2017. (lcegs2) (Entered: 06/27/2017)
06/28/2017	<u>26</u>	MOTION for Reconsideration re Order on Motion for Discovery,, Order on Motion to Stay, (<i>Minute Order dated June 27, 2017</i>), MOTION to Vacate <i>Order Denying</i>

		<i>Plaintiff's Motion to Take Discovery and to Stay Defendant's Motion for Summary Judgment under Rule 56(d)(previous Doc # 25) (Doc # 25) by SARA DISCEPOLO (Attachments: # 1 Text of Proposed Order)(DISCEPOLO, SARA) (Entered: 06/28/2017)</i>
07/05/2017	27	Memorandum in opposition to re 20 MOTION to Strike 16 MOTION for Summary Judgment <i>Defendant's Declarations</i> filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # 1 Text of Proposed Order)(Yee, Marsha) (Entered: 07/05/2017)
07/12/2017	28	Memorandum in opposition to re 26 MOTION for Reconsideration re Order on Motion for Discovery,, Order on Motion to Stay, (<i>Minute Order dated June 27, 2017</i>) MOTION to Vacate <i>Order Denying Plaintiff's Motion to Take Discovery and to Stay Defendant's Motion for Summary Judgment under Rule 56(d)(previous Doc # 25) (Doc # 25)</i> filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # 1 Text of Proposed Order)(Yee, Marsha) (Entered: 07/12/2017)
07/17/2017		MINUTE ORDER referring this case to a Magistrate Judge for full case management, up to but excluding trial pursuant to Local Civil Rule 72.2. This includes, with respect to any potentially dispositive motions, the preparation of a report and recommendation pursuant to Local Civil Rule 72.3. The parties are reminded, that pursuant to Local Civil Rule 73.1, the parties may consent to the assignment of this action to a magistrate judge for all purposes, including trial. Consent of the district court judge is not necessary. Signed by Judge Emmet G. Sullivan on 7/17/2017. (lcegs1) (Entered: 07/17/2017)
07/17/2017		CASE RANDOMLY REFERRED to Magistrate Judge G. Michael Harvey for full case management, up to but excluding trial pursuant to Local Civil Rule 72.2. (md) (Entered: 07/18/2017)
07/19/2017	29	REPLY to opposition to motion re 26 MOTION for Reconsideration re Order on Motion for Discovery,, Order on Motion to Stay, (<i>Minute Order dated June 27, 2017</i>) MOTION to Vacate <i>Order Denying Plaintiff's Motion to Take Discovery and to Stay Defendant's Motion for Summary Judgment under Rule 56(d)(previous Doc # 25) (Doc # 25)</i> filed by SARA DISCEPOLO. (DISCEPOLO, SARA) (Entered: 07/19/2017)
07/19/2017	30	REPLY to opposition to motion re 16 MOTION for Summary Judgment filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # 1 Declaration David Luczynski (EOUSA), # 2 Statement of Facts Defendant's Resp. to Plaintiff's "Additional Facts") (Yee, Marsha) (Entered: 07/19/2017)
07/19/2017	31	Memorandum in opposition to re 18 Cross MOTION for Summary Judgment MOTION for Vaughn Index MOTION for Declaratory Judgment filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # 1 Declaration David Luczynski (EOUSA), # 2 Statement of Facts Defendant's Resp. to Plaintiff's "Additonal Facts", # 3 Text of Proposed Order)(Yee, Marsha) (Entered: 07/19/2017)
08/18/2017	32	REPLY to opposition to motion re 18 Cross MOTION for Summary Judgment MOTION for Vaughn Index MOTION for Declaratory Judgment filed by SARA DISCEPOLO. (DISCEPOLO, SARA) (Entered: 08/18/2017)
12/04/2017		Case directly reassigned to Judge Dabney L. Friedrich. Judge Emmet G. Sullivan is no longer assigned to the case. (ztnr) (Entered: 12/04/2017)
01/19/2018	33	REPORT AND RECOMMENDATION. Signed by Magistrate Judge G. Michael Harvey on 1/19/2018. (lcgmh1) (Entered: 01/19/2018)
01/19/2018	34	MEMORANDUM OPINION AND ORDER denying 20 Motion to Strike. Signed by Magistrate Judge G. Michael Harvey on 1/19/18. (lcgmh1) Modified event title on 1/22/2018 (znmw). (Entered: 01/19/2018)
01/30/2018	35	MOTION for Extension of Time to File <i>Objections</i> by SARA DISCEPOLO (DISCEPOLO, SARA) (Entered: 01/30/2018)
01/31/2018		MINUTE ORDER granting 35 Plaintiff's Motion for Extension of Time. Accordingly, it is ORDERED that the plaintiff shall file objections to the 33 Report and Recommendation and 34 Memorandum Opinion and Order on or before February 9, 2018. In accordance with Local Civil Rule 72.3(b), the objections shall specifically identify the portion of the report and/or recommendation to which objection is made,

		and the basis for such objections. Signed by Judge Dabney L. Friedrich on January 31, 2018. (JPF) (Entered: 01/31/2018)
02/09/2018	<u>36</u>	OBJECTIONS to <u>33</u> Report and Recommendation, <u>34</u> Order on Motion to Strike by SARA DISCEPOLO (DISCEPOLO, SARA) Modified event title on 2/12/2018 (znmw). (Entered: 02/09/2018)
02/09/2018	<u>37</u>	MOTION for Leave to File <i>to submit additional evidence</i> re <u>36</u> Appeal of Magistrate Judge Decision to District Court by SARA DISCEPOLO (DISCEPOLO, SARA) Modified event title on 2/12/2018 (znmw). (Entered: 02/09/2018)
02/10/2018	<u>38</u>	MOTION to Amend/Correct <u>36</u> Appeal of Magistrate Judge Decision to District Court by SARA DISCEPOLO (DISCEPOLO, SARA) (Entered: 02/10/2018)
02/23/2018	<u>39</u>	RESPONSE re <u>36</u> Objections <i>Response to Plaintiff's Objections to the Magistrate Judge's Proposed Findings and Recommendations</i> filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit)(Yee, Marsha) Modified to add link on 2/26/2018 (znmw). (Entered: 02/23/2018)
03/02/2018	<u>40</u>	REPLY re <u>36</u> Appeal of Magistrate Judge Decision to District Court filed by SARA DISCEPOLO. (DISCEPOLO, SARA) (Entered: 03/02/2018)
05/08/2018		MINUTE ORDER. The Court is in receipt of the plaintiff's <u>37</u> Motion to Submit Additional Evidence and the plaintiff's <u>38</u> Motion to Correct/Amend Objections, which the defendant does not oppose. See Dkt. 39 at 3. It is ORDERED that the motions are GRANTED. The Court considers the information therein as appropriate in assessing the plaintiff's objections to the <u>33</u> Report and Recommendation. Signed by Judge Dabney L. Friedrich on May 8, 2018. (JPF) (Entered: 05/08/2018)
05/08/2018	<u>41</u>	MEMORANDUM OPINION & ORDER adopting Magistrate Judge G. Michael Harvey's <u>33</u> Report and Recommendation in its entirety; granting in part and denying in part the defendant's <u>16</u> Motion for Summary Judgment; denying without prejudice the plaintiff's <u>18</u> Cross-Motion for Summary Judgment; and denying the plaintiff's <u>26</u> Motion for Reconsideration. See text for details. Signed by Judge Dabney L. Friedrich on May 8, 2018. (JPF) (Entered: 05/08/2018)
05/10/2018		MINUTE ORDER. On May 8, 2018, Judge Friedrich filed a Memorandum Opinion and Order [Dkt. 41] adopting the undersigned's Report and Recommendation [Dkt. 33]. Pursuant to that Order, on or before May 24, 2018, the parties shall submit a joint proposed briefing schedule for Defendant's renewed motion for summary judgment and any cross-motion for summary judgment to be filed by Plaintiff. SO ORDERED. Signed by Magistrate Judge G. Michael Harvey on 5/10/18. (lcgmh1) (Entered: 05/10/2018)
05/10/2018		Set/Reset Deadlines: Proposed Briefing Schedule due by 5/24/2018 (lcgmh1) (Entered: 05/10/2018)
05/24/2018	<u>42</u>	PROPOSED BRIEFING SCHEDULE (<i>Joint</i>) by U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 05/24/2018)
05/25/2018		MINUTE ORDER. The parties' joint proposed briefing schedule is ADOPTED. Defendant's renewed motion for summary judgment shall be filed on or before June 28, 2018; Plaintiff's opposition and cross-motion, supported by a single memorandum, shall be filed on or before July 26, 2018; Defendant's opposition to the cross-motion and reply to its own motion, supported by a single memorandum, shall be filed on or before August 23, 2018; Plaintiff's reply shall be filed on or before September 20, 2018. SO ORDERED. Signed by Magistrate Judge G. Michael Harvey on 5/25/18. (lcgmh1) (Entered: 05/25/2018)
05/25/2018		Set/Reset Deadlines: Cross Motions due by 7/26/2018. Response to Cross Motions due by 8/23/2018. Reply to Cross Motions due by 9/20/2018. Summary Judgment motions due by 6/28/2018. Response to Motion for Summary Judgment due by 7/26/2018. Reply to Motion for Summary Judgment due by 8/23/2018. (lcgmh1) (Entered: 05/25/2018)
06/28/2018	<u>43</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration David X. Sullivan, # <u>3</u> Text of Proposed Order)(Yee, Marsha) (Entered: 06/28/2018)

07/26/2018	<u>44</u>	MOTION for Discovery <i>and to Stay</i> <i>Deft's Motion for Summary Judgment</i> by SARA DISCEPOLO (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration, # <u>3</u> Text of Proposed Order)(DISCEPOLO, SARA). Added MOTION to Stay on 7/27/2018 (tth). (Entered: 07/26/2018)
07/26/2018	<u>45</u>	Cross MOTION for Summary Judgment <i>and Opposition to Deft's Motion for Summary Judgment</i> by SARA DISCEPOLO (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order)(DISCEPOLO, SARA) (Entered: 07/26/2018)
07/26/2018	<u>46</u>	RESPONSE re <u>43</u> MOTION for Summary Judgment <i>Opposition to Deft's Renewed Motion for Summary Judgment</i> filed by SARA DISCEPOLO. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order)(DISCEPOLO, SARA) (Entered: 07/26/2018)
07/27/2018		NOTICE OF ERROR re <u>44</u> Motion for Discovery; emailed to 5tpw132@comcast.net, cc'd 3 associated attorneys -- The PDF file you docketed contained errors: 1. Two-part docket entry, 2. Please do not refile. For future filings, please docket two-part pleadings. (ztth,) (Entered: 07/27/2018)
07/27/2018		MINUTE ORDER. Plaintiff having filed a motion for discovery and to stay Defendant's motion for summary judgment [Dkt. 44], Defendant's response to Plaintiff's motion for discovery and to stay shall be filed on or before August 9, 2018; Plaintiff's reply shall be filed on or before August 16, 2018. SO ORDERED. Responses due by 8/9/2018 Replies due by 8/16/2018. Signed by Magistrate Judge G. Michael Harvey on 7/27/18. (lcgmh1,) (Entered: 07/27/2018)
08/01/2018	<u>47</u>	MOTION for Extension of Time to File <i>Notice of Appeal under 28 USC 1292</i> , MOTION for Certification for interlocutory appeal by SARA DISCEPOLO (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order, # <u>3</u> Text of Proposed Order)(DISCEPOLO, SARA) (Entered: 08/01/2018)
08/01/2018	<u>48</u>	MOTION for Reconsideration re <u>41</u> Order on Motion for Reconsideration,, Order on Motion to Vacate,, Order on Motion for Summary Judgment,,, Order on Motion for Vaughn Index,, Order on Motion for Declaratory Judgment, by SARA DISCEPOLO (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(DISCEPOLO, SARA) (Entered: 08/01/2018)
08/09/2018	<u>49</u>	Memorandum in opposition to re <u>44</u> MOTION for Discovery <i>and to Stay</i> <i>Deft's Motion for Summary Judgment</i> MOTION to Stay filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Yee, Marsha) (Entered: 08/09/2018)
08/15/2018	<u>50</u>	Memorandum in opposition to re <u>47</u> MOTION for Extension of Time to File <i>Notice of Appeal under 28 USC 1292</i> MOTION for Certification for interlocutory appeal filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Yee, Marsha) (Entered: 08/15/2018)
08/15/2018	<u>51</u>	Memorandum in opposition to re <u>48</u> MOTION for Reconsideration re <u>41</u> Order on Motion for Reconsideration,, Order on Motion to Vacate,, Order on Motion for Summary Judgment,,, Order on Motion for Vaughn Index,, Order on Motion for Declaratory Judgment, filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Yee, Marsha) (Entered: 08/15/2018)
08/16/2018	<u>52</u>	REPLY to opposition to motion re <u>44</u> MOTION for Discovery <i>and to Stay</i> <i>Deft's Motion for Summary Judgment</i> MOTION to Stay filed by SARA DISCEPOLO. (DISCEPOLO, SARA) (Entered: 08/16/2018)
08/22/2018	<u>53</u>	REPLY to opposition to motion re <u>48</u> MOTION for Reconsideration re <u>41</u> Order on Motion for Reconsideration,, Order on Motion to Vacate,, Order on Motion for Summary Judgment,,, Order on Motion for Vaughn Index,, Order on Motion for Declaratory Judgment, filed by SARA DISCEPOLO. (DISCEPOLO, SARA) (Entered: 08/22/2018)
08/22/2018	<u>54</u>	REPLY to opposition to motion re <u>47</u> MOTION for Extension of Time to File <i>Notice of Appeal under 28 USC 1292</i> MOTION for Certification for interlocutory appeal filed by SARA DISCEPOLO. (DISCEPOLO, SARA) (Entered: 08/22/2018)

08/23/2018	<u>55</u>	MOTION for Extension of Time to <i>File Defendant's Combined Reply in Further Support of its Motion for Summary Judgment and Opposition to Plaintiff's Cross-Motion for Summary Judgment</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Yee, Marsha) (Entered: 08/23/2018)
08/24/2018	<u>56</u>	RESPONSE re <u>55</u> MOTION for Extension of Time to <i>File Defendant's Combined Reply in Further Support of its Motion for Summary Judgment and Opposition to Plaintiff's Cross-Motion for Summary Judgment</i> filed by SARA DISCEPOLO. (DISCEPOLO, SARA) (Entered: 08/24/2018)
08/24/2018		MINUTE ORDER granting defendant's <u>55</u> Motion for Extension of Time. Having reviewed defendant's motion and plaintiff's <u>56</u> Opposition, it is ORDERED that the defendant shall file its combined reply and opposition on or before September 19, 2018, and that plaintiff shall file her reply on or before October 19, 2018. Signed by Judge Dabney L. Friedrich on August 24, 2018. (lcldf1) (Entered: 08/24/2018)
08/24/2018		Set/Reset Deadlines/Hearings: Plaintiff's reply due by 10/19/2018. (jl) (Entered: 08/24/2018)
08/24/2018	<u>57</u>	MOTION to File Sur-Reply by SARA DISCEPOLO (DISCEPOLO, SARA) Modified on 8/27/2018 (ztth). (Entered: 08/24/2018)
08/27/2018	<u>58</u>	MINUTE ORDER granting plaintiff's <u>57</u> Motion to File Sur-Reply. Accordingly, it is ORDERED that the plaintiff shall file her combined reply and sur-reply on or before October 19, 2018. Signed by Judge Dabney L. Friedrich on August 27 2018. (lcldf1) (Entered: 08/27/2018)
09/19/2018	<u>59</u>	REPLY to opposition to motion re <u>43</u> MOTION for Summary Judgment filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Def.'s Resps. to Pl.'s Additional, Allegedly Material Facts, # <u>2</u> Biega Suppl. Decl., # <u>3</u> EOUSA Suppl. Decl., # <u>4</u> Text of Proposed Order)(Yee, Marsha) (Entered: 09/19/2018)
09/19/2018	<u>60</u>	Memorandum in opposition to re <u>45</u> Cross MOTION for Summary Judgment and <i>Opposition to Deft's Motion for Summary Judgment</i> filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Def.'s Resps. to Pl.'s Additional, Allegedly Material Facts, # <u>2</u> Biega Suppl. Decl., # <u>3</u> EOUSA Suppl. Decl., # <u>4</u> Text of Proposed Order)(Yee, Marsha) (Entered: 09/19/2018)
10/19/2018	<u>61</u>	MOTION to Strike <u>43</u> MOTION for Summary Judgment , MOTION for Sanctions by SARA DISCEPOLO (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(DISCEPOLO, SARA) (Entered: 10/19/2018)
10/19/2018	<u>62</u>	SURREPLY to re <u>43</u> MOTION for Summary Judgment filed by SARA DISCEPOLO. (DISCEPOLO, SARA) (Entered: 10/19/2018)
10/19/2018	<u>63</u>	REPLY to opposition to motion re <u>45</u> Cross MOTION for Summary Judgment and <i>Opposition to Deft's Motion for Summary Judgment</i> filed by SARA DISCEPOLO. (DISCEPOLO, SARA) (Entered: 10/19/2018)
10/22/2018	<u>64</u>	SCHEDULING ORDER: Responses due by 11/2/2018 Replies due by 11/9/2018. Signed by Magistrate Judge G. Michael Harvey on 10/22/18. (lcgmh1) (Entered: 10/22/2018)
11/02/2018	<u>65</u>	ORDER denying plaintiff's <u>48</u> Motion for Reconsideration. See Order for details. Signed by Judge Dabney L. Friedrich on November 2, 2018. (lcldf2) (Entered: 11/02/2018)
11/02/2018	<u>66</u>	Memorandum in opposition to re <u>61</u> MOTION to Strike <u>43</u> MOTION for Summary Judgment MOTION for Sanctions filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Text of Proposed Order)(Yee, Marsha) (Entered: 11/02/2018)
11/09/2018	<u>67</u>	REPLY to opposition to motion re <u>61</u> MOTION to Strike <u>43</u> MOTION for Summary Judgment MOTION for Sanctions filed by SARA DISCEPOLO. (DISCEPOLO, SARA) (Entered: 11/09/2018)
11/15/2018	<u>68</u>	ORDER denying <u>44</u> Motion for Discovery; denying <u>44</u> Motion to Stay; denying <u>61</u> Motion to Strike ; denying <u>61</u> Motion for Sanctions. Signed by Magistrate Judge G. Michael Harvey on 11/15/18. (lcgmh1) (Entered: 11/15/2018)

11/15/2018	<u>69</u>	REPORT AND RECOMMENDATION. Signed by Magistrate Judge G. Michael Harvey on 11/15/18. (lcgmh1) (Entered: 11/15/2018)
11/29/2018	<u>70</u>	Appeal of Magistrate Judge Decision to District Court by SARA DISCEPOLO re <u>68</u> Order on Motion for Discovery, Order on Motion to Stay, Order on Motion to Strike, Order on Motion for Sanctions (DISCEPOLO, SARA) (Entered: 11/29/2018)
11/29/2018	<u>71</u>	Appeal of Magistrate Judge Decision to District Court by SARA DISCEPOLO re <u>69</u> Report and Recommendation (DISCEPOLO, SARA) (Entered: 11/29/2018)
12/13/2018	<u>72</u>	RESPONSE to Plaintiff's Objections to Magistrate Judge's Report and Recommendation, ECF No. 71, and Memorandum Opinion and Order, ECF No. 70, filed by U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 12/13/2018)